

# researchnotes

## Highway Project Delivery Requirements

### Background

Delivery of a highway project in Washington State is a complex process and is dependent upon numerous entities for review, approval, cooperation, and coordination. A myriad of Federal, state, and local laws and regulations governs all aspects of project delivery—the planning process, environmental review, design, utility relocation, right-of-way acquisition, contracting, construction, maintenance, and operations. The complexity of these various regulations, and the relationship of actual legal requirements are frequently cited as causes for delays in project delivery.

### What We Did

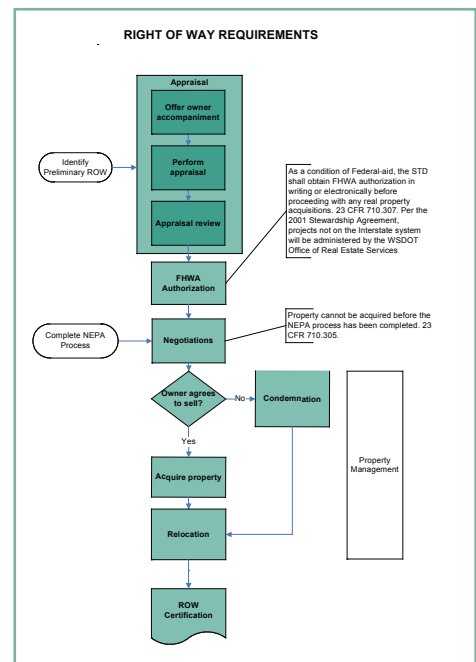
The Volpe National Transportation Systems Center (Volpe Center) worked with the Washington State Department of Transportation (WSDOT) to help make these requirements more transparent to the highway project team. The project included data gathering and documentation of WSDOT's project delivery stages, the Federal and state requirements relevant to each stage, and the roles and responsibilities of stakeholders throughout the delivery of WSDOT highway projects. During the project, researchers:

- Conducted a literature review;
- Created a spreadsheet matrix to collect and manage the requirements and related information;
- Created flowcharts to visually organize requirements;
- Validated and revised the requirements information through interviews with WSDOT staff;
- Posted the requirements information to a series of interconnected web pages.

### What Did We Learn?

The goal of this project was the compilation of information, rather than the analysis of that information. The product was a web site containing information on federal and Washington state highway project delivery requirements. The compiled information is best viewed in the web site at: [www.wsdot.wa.gov/Projects/ProjectMgmt/OnLine\\_Guide/Proj\\_Legal\\_Requirements](http://www.wsdot.wa.gov/Projects/ProjectMgmt/OnLine_Guide/Proj_Legal_Requirements) so that a user can more easily link the process step in the flow chart to the detailed regulatory information found in the matrices.

### Sample flow chart

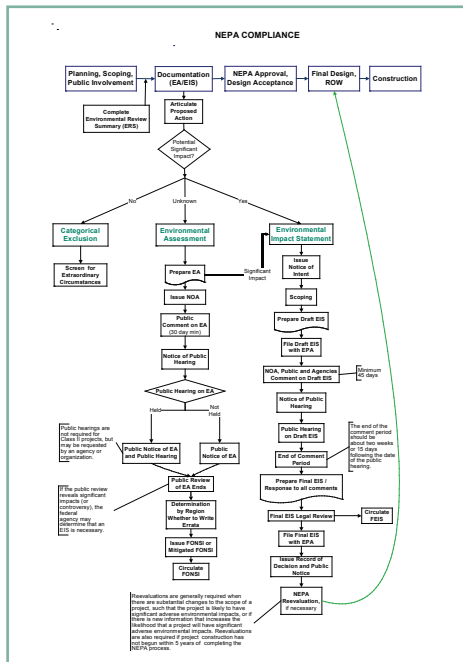


### Sample matrix

Right of Way Requirements

Requirements	Description	Authority	Additional Information	MDL#
Timing: Project Agreement/FHWA Authorization	As a condition of Federal-aid, the STD shall obtain FHWA authorization in writing or electronically before proceeding with any real property acquisitions, including hardship acquisition and protective buying (see 23 CFR 710.503). The STD must prepare a project agreement in accordance with 23 CFR part 630, subpart C.	23 CFR 710.307	Per the 2001 Stewardship Agreement, projects not on the Interstate system will be administered by the WSDOT Office of Real Estate Services.	
NEPA before ROW Acquisition	Acquisition of right-of-way may only commence <b>after</b> the necessary environmental clearances have been met.	23 CFR 710.306		

## Sample flow chart



The web site contains flow charts of the regulatory requirements placed in order of common usage. In addition, dependencies between requirements (e.g., Decision A is needed before Decision B) and timing aspects (number of days allowed for a process) are included if stated in the regulation. The web site allows the user to gain an overall understanding of the process steps and to obtain detailed information on each step by clicking on the specific regulation. Hotlinks are also provided to regulatory web sites.

The draft web site was reviewed by a selected group of users. The user group commented positively on the ease of use of both the matrix and the flowcharts. The group agreed that the greatest benefit of this information would be for new staff and contracted workers to gain an understanding of project requirements.

## What the Project Team Recommends

Future improvements could include links to regulation citations directly, contact information for relevant WSDOT staff, and, the inclusion of WSDOT policies and recommended practices into the flowcharts. In addition, the information can be analyzed for potential efficiencies to be gained by how decisions are sequenced or resourced.

## Implementation of the Results

This information is immediately available to project engineers, specialty service providers (i.e., Real Estate Services, Environmental Services), and the public for use in understanding the overall process or as a reference tool for specific regulations at: [www.wsdot.wa.gov/Projects/ProjectMgmt/OnLine\\_Guide/Proj\\_Legal\\_Requirements/](http://www.wsdot.wa.gov/Projects/ProjectMgmt/OnLine_Guide/Proj_Legal_Requirements/).

## The Researchers

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## Sample matrix

NEPA Compliance				
Requirements	Description	Authority	Additional Information	MDL#
NEPA Compliance	NEPA requires Federal agencies to prepare an environmental impact statement (EIS) for major Federal actions that significantly affect the quality of the human environment.	The National Environmental Policy Act (NEPA) of 1969; 40 CFR Parts 1500-1508; 23 CFR 771.105 and 109		PE-D-06, 19
Document (EA/EIS) including Purpose and Need	Classes of Action: Categorical Exclusion, Environmental Assessment, Environmental Impact Statement	40 CFR 1502.13		

### For more information contact:

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